

**In the Claims:**

Please amend the claims as shown below. This listing of claims will replace all prior versions and listings of the claims in this application.

1. (Currently amended) A method of regulating apoptosis in a cell, said method comprising targeting an abnormally alternatively spliced Bcl-2 mRNA, an abnormally alternatively structured Bcl-2 mRNA, or a product of either.
2. (Currently amended) A The method according to claim 1 ~~further~~ comprising targeting the junctions of the Bcl-2 mRNA molecule that is abnormally spliced or abnormally structured.
3. (Currently amended) A The method according to claim 1 ~~further~~ comprising targeting a protein product following translation of the abnormally spliced or abnormally structured Bcl-2 mRNA.
4. (Currently amended) A The method according to ~~any of claims~~ claim 1 to 3 further comprising the selective silencing of abnormal splice variants of the Bcl-2 gene.
5. (Currently amended) A The method according to claim 4 ~~further~~ comprising the targeting of any of the abnormal splice variants selected from the group consisting of: Bcl-2 $\alpha$ -591, Bcl-2 $\alpha$ -588, Bcl-2 $\alpha$ -480, Bcl-2 $\alpha$ -633, Bcl-2 $\beta$ -489, Bcl-2 $\beta$ -474, Bcl-2 $\beta$ -420 and/or Bcl-2 $\beta$ -315.
6. (Currently amended) A The method according to claim 5 ~~further~~ comprising targeting of the mRNA sequence flanking the splice junction between nucleotides 111 and 241 of Bcl-2 $\alpha$ -591.
7. (Currently amended) A The method according to ~~any of the preceding claims~~ claim 1 further comprising targeting an abnormally spliced Bcl-2 mRNA

or a product thereof, by introducing into a cell containing a Bcl-2 gene which is abnormally spliced and which is to be targeted, an RNA construct having a nucleotide sequence which is homologous to mRNA within said cell wherein said mRNA includes genetic information of the Bcl-2 gene element that is abnormally spliced.

8. (Currently amended) A The method according to claim 7 wherein the RNA construct is a small interfering dsRNA (siRNA).

9. (Currently amended) A The method according to claim 8 wherein the siRNA is up to 28 nucleotides long.

10. (Currently amended) A The method according to ~~any of claims~~ claim 1, ~~to 6,~~ further comprising targeting an abnormally spliced Bcl-2 mRNA or a product thereof, by introducing into a cell containing a Bcl-2 gene which is abnormally spliced and which is to be targeted, an agent selected from the group consisting of: small molecule or protein; polypeptide; peptide; aptamer; chemical; antibody; nucleic acid; polypeptide or nucleotide probe; anti-sense RNA; shRNA; miRNA; and Bcl-2 derived products including abnormal Bcl-2 splice variants which inhibit Bcl-2 either directly or indirectly; which agent interacts with or binds with the abnormally spliced Bcl-2 mRNA or protein expressed by the abnormally spliced Bcl-2 mRNA.

11. (Currently amended) A nucleotide construct with a nucleotide sequence which is at least 50% homologous to mRNA transcribed from an abnormally spliced Bcl-2 gene.

12. (Currently amended) A The nucleotide construct according to claim 11 wherein said construct comprises dsRNA.

13. (Currently amended) A The nucleotide construct according to claim 12 wherein the construct is 20 to 28 nucleotides long.

14. (Currently amended) A The nucleotide construct according to claim 13 wherein the RNA construct is 21 to 22 nucleotides long.

15. (Currently amended) A nucleotide construct ~~such as~~selected from the group consisting of: siRNA<sub>i</sub>; anti-sense RNA<sub>i</sub>; shRNA<sub>i</sub> and miRNA<sub>i</sub> as means for silencing the expression of an abnormally spliced Bcl-2 gene for use as a medicament.

16. (Currently amended) An agent selected from the group consisting of: small molecule or protein; polypeptide; peptide; aptamer; chemical; antibody; nucleic acid; polypeptide<sub>i</sub> ~~or~~and nucleotide probe<sub>i</sub>; which agent interacts with or binds with a protein expressed by an abnormally spliced Bcl-2 mRNA<sub>i</sub> for use as a medicament.

17. (Currently amended) A Use of a nucleotide construct ~~such as~~selected from the group consisting of: siRNA<sub>i</sub>; anti-sense RNA<sub>i</sub>; shRNA<sub>i</sub> ~~or~~and miRNA<sub>i</sub> and capable of silencing the expression of an abnormally spliced Bcl-2 gene for the manufacture of a medicament for the treatment of cancerous cell growth.

18. (Currently amended) A ~~An~~Use of an agent selected from the group consisting of: small molecule or protein; polypeptide; peptide; aptamer; chemical; antibody; nucleic acid; polypeptide<sub>i</sub> ~~or~~and nucleotide probe<sub>i</sub>; which agent interacts with or binds with a protein expressed by an abnormally spliced Bcl-2 mRNA<sub>i</sub> for the manufacture of a medicament for the treatment of cancerous cell growth.

19. (Currently amended) A pharmaceutical composition comprising a nucleotide construct ~~such as~~capable of silencing the expression of an abnormally spliced Bcl-2 gene and selected from the group consisting of: siRNA<sub>i</sub>; anti-sense RNA<sub>i</sub>; shRNA<sub>i</sub> ~~or~~and miRNA<sub>i</sub>; and a pharmaceutically acceptable diluent or carrier.

20. (Currently amended) A pharmaceutical composition comprising an agent selected from the group consisting of: small molecule or protein; polypeptide; peptide; aptamer; chemical; antibody; nucleic acid; polypeptide; and nucleotide probe; which agent interacts with or binds with a protein expressed by an abnormally spliced Bcl-2 mRNA, and a pharmaceutically acceptable diluent or carrier.

21. (Currently amended) Use of a DNA or RNA expression vector as a delivery means for a molecule which is used in the targeting of an abnormally spliced Bcl-2 mRNA or a product thereof.

22. (Currently amended) A DNA or RNA expression vector comprising an expression cassette including the nucleotide sequence selected from the group consisting of; of:

a) the nucleic acid sequence of an abnormally spliced gene element as shown in Fig 1;

b) a nucleic acid molecule which has at least 50% homology to and hybridizes to the a nucleic acid sequence of (a); and

c) a nucleic acid molecule which has a nucleic acid sequence which is degenerate because of the genetic code to the sequences in a) and b) and any sequence which is at least 50% complimentary to any of the above sequences;

wherein the expression cassette is transcriptionally linked to a promoter sequence.